

REMARKS

In view of the above amendments and the following remarks, reconsideration and further examination are requested.

By this amendment, claims 13-17 have been cancelled without prejudice and new claims 18-23 added. Thus, claims 18-23 are pending.

The new claims 18-23 recite the subject matter of claims 13-17, now canceled, and have been rewritten to improve the form of the claims and to remove the limitation "allocated at predetermined intervals" throughout the claims. See for example the penultimate line of claim 13. Thus, support for the new claims can still be found at least at: column 2, lines 25-30; column 21, lines 26-30; column 23, lines 35-49; Fig. 24; column 28, line 66 to column 29, line 9; column 26, lines 22-25; and Fig. 41.

In light of the Examiner's requirement for new copies of the drawings, a clean copy of each drawing sheet of the printed patent is filed herewith. See 37 C.F.R. § 1.173(a)(2) and MPEP § 1413. It is submitted that the currently submitted clean copy of each drawing sheet meet the drawing requirements for reissue applications.

Claims 13-17 were rejected under 35 U.S.C. § 102(e) as being anticipated by Citta et al, U.S. Patent No. 5,598,220 (hereafter "Citta"). This rejection is traversed.

The earliest possible effective filing date of Citta is July 18, 1991. The earliest foreign priority date of the present application is March 27, 1991, which is the filing date of the foreign priority document 3-62798. However, the present application claims foreign priority to several foreign priority documents, including JP 03-95813 (hereafter "the '813 document"). The foreign priority date established by the '813 document is April 25, 1991, which is earlier than the earliest possible effective filing date of Citta (July 18, 1991). A certified copy of each of the foreign priority documents was filed in connection with the prosecution of the underlying patent (5,600,672), for which the present application is a reissue application. Further, in order to perfect the foreign priority with respect to the '813 document in the present application, a verified translation of the '813 document is filed herewith. The presently claimed invention is fully supported by this foreign priority document. See, for example, page 40, lines 16-19; page 41, lines 15-19; Fig. 24; page 59, lines 9-16; page 50, lines 9-12; and Fig. 41 of the enclosed translation of the '813 document. Accordingly, Citta

is not prior art to the present application. Thus, it is requested that the rejection based on Citta be removed.

Claims 13-17 were also rejected under 35 U.S.C. § 102(e) as being anticipated by Chung et al, U.S. Patent No. 5,214,656 (hereafter "Chung"). This rejection is traversed.

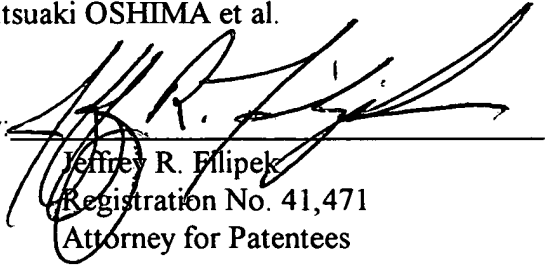
Each of claims 18-23 includes a recitation that the first data stream has data for demodulation and that the data for demodulation is for demodulating the second data stream. Chung does not disclose or suggest such a feature. Chung merely discloses that an HDTV signal is divided into classes of information in which at least one class of information contains information that is more important than the remainder of the classes, which contain less important information. See column 3, lines 56-65. Further, Chung discloses manners of providing error protection so that the more important information has more error protection than the less important information. However, Chung does not disclose that a first data stream includes data for demodulation which serves to enable demodulation of a second data stream. Thus, Chung does not disclose or suggest a first data stream and a second data stream wherein the first data stream includes data for demodulation for demodulating the second data stream as recited in each of claims 18-23. Accordingly, claims 18-23 are not anticipated by Chung.

In view of the above amendments and remarks, it is submitted that claims 18-23 are allowable over the prior art of record and that the present application is in condition for allowance. The Examiner is invited to contact the undersigned attorney by telephone to discuss any remaining issues.

Respectfully submitted,

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